



Staff Report BZA16-004-SE

Child Care Center- Special Exception

Docket BZA16-004-SE - Special Exception – Child Care Center: Rainbow Child. The petitioner is requesting approval of a Special Exception for the purpose of allowing a child care center. The property is currently zoned GB and is located at Lot 4 within the Maple Grove GB subdivision south of Whitestown Parkway. The petitioner is Innovative Engineering & Consulting Inc. and the property owner is Diversified Property Group, LLC.



Site Location

The site is located on lot 4 of the Maple Grove GB subdivision; south of Whitestown Parkway. Currently, the property is not developed.

History

- The Maple Grove GB subdivision was rezoned by Boone County in 2007 (Ord #2007-06). This ordinance rezoned 42 acres from R-1 Residential to a combination PB Professional Business, GB General Business and MF Multi-Family.
- Rezone Ord 2007-06 included written commitments that coincide with the Boone County Area Plan Commission Zoning Ordinance for GB.
- The Whitestown Plan Commission enacted the 2014 UDO which classifies GB requirements differently.
- The WPC is concurrently reviewing a re-plat and zone map change to clearly define and update the recognized GB allowed uses.

Proposed Land Use and Site Plan

The proposed special exception is to construct a 10,780 sf child care center. Children of the ages 6 weeks to 6 years old will be cared for during the hours of operation of 6:30am to 6:30pm Monday through Friday. The day care center will offer before and after school programs and will service approximately 120 children and employ a staff of 15.



Access to the site will be from Grove Pass which runs parallel to Whitestown Parkway. Grove Pass is an existing road and will service the remainder lots in the Maple Grove GB subdivision. The site plan is shown to the right:

Staff Comments

- GB General Business zoning commitments for this land are listed out per Ord #2007-06.
- The proposed special exception use is for Lot 4 in the Maple Grove GB subdivision. The site currently allows the uses listed out in the GB district of the Boone County APC zoning ordinance. Since then, the Town of Whitestown has adopted the Whitestown UDO in 2014.

Decision Criteria

Per the Zoning Ordinance, *Section XII.C.5.b* the Board of Zoning Appeals shall use the following decision criteria, consistent with the requirements of the Indiana Code IC 36-7-4-918.2, when taking action on all variance requests:

- The establishment, maintenance, or operation of the special exception will not be detrimental to or endanger the public health, safety, morals, or general welfare.
The construction and operation of a day care facility at this location would be in accordance with all standards and requirements of the Town. It would be an attractive building with adequate room for parking, drop-off and outdoor activities.
- The special exception will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.
This use should have no adverse impact on neighboring properties or future uses on those sites.
- The establishment of the special exception will not impede or substantially alter the normal and orderly development and improvement of surrounding property for uses permitted in the district.
The remainder of this commercial center will develop without any concerns about the presence of a day care facility nearby.
- Adequate utilities, access road, drainage, and other necessary facilities have been or are being provided.
All such facilities needed for this use are available and will be provided.

- Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion on the public roadways.

Adequate land exists for proper parking, drop-offs and outdoor activities. Good access exists to this site from several public roads and internal driveways.

- The special exception will be located in a district where such use is permitted and all other requirements set forth in the Ordinance that are applicable to such use will be met.

The requested use is permitted in the GB district subject to conditional use review and approval. It will have no adverse impact on neighboring properties, now or in the future.

Staff Recommendations

Staff recommends that the BZA approve the Special Exception allowing a Child Care Facility on this GB zoned property.